

**Assembly Bill 709 (Wolk)**  
**Candidate Controlled Ballot Measure Committees**  
**Version: Introduced 2/17/05**  
**Status: Awaiting assignment to a committee**

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**Summary**

This bill imposes an individual contribution limit of \$5,600 per election on candidate controlled ballot measure committees. It specifies that multiple ballot measure committees controlled by the same candidate are also subject to the \$5,600 limit based on the aggregate contribution amount given to each. The bill further codifies a Commission regulation that imposes the same post-election fundraising limitations on candidate controlled ballot measure committees that are imposed on candidates.

**Recommendation**

Staff recommends the Commission adopt a position of “support.”

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**Background**

Existing law and regulations impose a \$3,300 (adjusted for inflation) limit on individual contributions made to a candidate for the legislature, \$5,600 limit for a candidate for statewide elective office, and \$22,300 for a candidate for Governor. Currently, ballot measure committees that are controlled by a candidate for any elective state office are subject to the same contribution limits as that candidate’s own contribution limit, as specified under regulation 18530. This bill would instead apply the \$5,600 contribution limit for statewide elective office candidates to all candidate controlled ballot measure committees.

The bill further specifies that if a candidate controls more than one ballot measure committee that makes expenditures in support of or opposition to the same ballot measure, total contributions to all of the committees from the same contributor shall not exceed the \$5,600 contribution limit.

Commission regulation 18530.9(d) imposes the same post-election fundraising limitations on candidate controlled ballot measure committees that are imposed on candidates. This allows candidate-controlled primarily formed ballot measure committees to accept contributions after the date of election only if the contribution does not exceed net debts outstanding from the election and the contribution does not exceed the \$5,600 limit. This bill codifies these post-election fundraising limitations on candidate controlled ballot measure committees in statute.

Last year, the Commission supported AB 1980 (2003-04), which would have imposed a \$21,200 contribution limit on any candidate controlled ballot measure committee. That bill went to a joint legislative conference committee, and came out of the committee last year with the same language that is now in this year’s AB 709. That version subsequently passed the Senate but failed in the Assembly.

Regulation 18530.9 is the subject of litigation (*Citizens to Save California, et al. v. FPPC*) pending before a Sacramento Superior Court.

**Analysis**

AB 709 would set a single contribution limit for all candidate-controlled ballot measure. The result would be to equalize the amount of money that an individual may contribute to a committee or committees supporting or opposing any one ballot measure. For example, under the current system, if the Governor controlled a statewide ballot measure committee, an individual could contribute up to \$22,300 to that committee, but that same contributor could only contribute up to \$3,300 to a committee formed by an Assembly candidate for that very same statewide ballot measure. Under this bill, the contribution limit would max out at \$5,600 in both situations. In addition, where one candidate controls multiple committees on a particular ballot measure, an individual could contribute no more than \$5,600 total to one or more of those committees, thus eliminating any ability for candidates to circumvent existing limitations by controlling additional committees for the same ballot measure.

This bill would also eliminate any confusion or adjustment in contribution limits for committees controlled by multiple candidates or when a new candidate with a higher contribution limit takes control.

**Fiscal Impact**

This bill would impose minimal costs on the Commission, consisting of staff time in making the appropriate regulatory changes.